

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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JUL 14 2003  
TECH CENTER 1600-2000

Applicant	:	Zyskind, et al.	)	Group Art Unit 1631
			)	
Appl. No.	:	09/492,709	)	
			)	
Filed	:	January 27, 2000	)	
			)	
For	:	GENES IDENTIFIED AS	)	
		REQUIRED FOR	)	
		PROLIFERATION IN	)	
		ESCHERICHIA COLI	)	
			)	
Examiner	:	A. Marschel	)	

LETTER

Examiner Ardin Marschel  
Art Unit 1631  
7th Floor Receptionist  
United States Patent and Trademark Office  
1911 S. Clark Place, Crystal Mall  
Arlington, VA 22202

Dear Sir:

Pursuant to our telephone conversation of July 7, 2003, enclosed herewith is a copy of the Supplemental Information Disclosure Statement originally sent to the United States Patent and Trademark Office on April 9, 2003, accompanying Form PTO-1449, and copies of the 3 references enclosed therewith. Also enclosed herewith is a copy of the return postcard originally submitted with this Information Disclosure Statement which shows that the USPTO received this information on April 14, 2003.

During the above-mentioned telephone conversation, it was agreed that Applicants should also submit a replacement Form PTO-1449 listing references that were provided in earlier Information Disclosure Statements but which had been lined out. In particular, the replacement Form PTO-1449 that is provided herewith lists the following references: (1) Gudkov, *et al.*

Appl. No. : 09/492,709  
Filed : January 27, 2000

(1997), which was originally listed on the Form PTO-1449, filed on September 20, 2000 (a copy of this Form PTO-1449 is enclosed herewith); (2) Sofia, *et al.* (1994), which was originally listed on the Form PTO-1449, filed March 20, 2003 (a copy of this Form PTO-1449 is enclosed herewith); and (3) Partial European Search Report from co-pending Application EP 01 12 4215 dated January 28, 2003, which was also originally listed on Form PTO-1449, filed March 20, 2003.

Applicants would like to thank you in advance for considering the references listed on the accompanying Forms PTO-1449. If you have any questions or concerns regarding this submission, please feel free to contact me directly.

Applicants believe that no fee is required in connection with this submission. However, if a fee is deemed necessary, please charge Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: January 27, 2000

By: Daniel Hart  
Daniel Hart  
Registration No. 40,637  
Attorney of Record  
Customer No. 20,995  
(619) 235-8550

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JUL 14 2003

OFFICE OF PETITIONS

Case Docket No. ELITRA.001A

Date: July 9, 2003

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants	:	Zyskind, et al.	)	I hereby certify that this correspondence and all marked attachments are being deposited with Federal Express for Priority Overnight delivery to Annette Masiello, Annette Masiello Patent Services, 2001 Jefferson Davis Hwy., Ste. 1011, Arlington, VA 22202, for hand delivery to Examiner Ardin Marschel, Art Unit 1631, 7th Floor Receptionist, United States Patent and Trademark Office, 1911 S. Clark Place, Crystal Mall, Arlington, VA 22202, on
Appl. No.	:	09/492,709	)	
Filed	:	January 27, 2000	)	
For	:	GENES IDENTIFIED AS REQUIRED FOR PROLIFERATION IN ESCHERICHIA COLI	)	
Examiner	:	A. Marschel	)	July 9, 2003 (Date)
Group Art Unit	:	1631	)	Daniel Hart, Reg. No. 40,637

TRANSMITTAL LETTER

Examiner Ardin Marschel  
Art Unit 1631  
7th Floor Receptionist  
United States Patent and Trademark Office  
1911 S. Clark Place, Crystal Mall  
Arlington, VA 22202

Dear Sir:

Enclosed for filing in the above-identified application are:

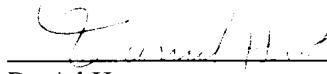
- (X) Letter.
- (X) Copy of Transmittal Letter, Postcard, Check, Supplemental Information Disclosure Statement, and PTO Form 1449 with three (3) references, all previously mailed on April 9, 2003.
- (X) Copy of Return Postcard Date Stamped OIPE, Patent & Trademark Office, April 14, 2003, indicating receipt of Supplemental Information Disclosure Statement mailed April 9, 2003.
- (X) Copy of PTO Form 1449 filed March 20, 2003, received by OIPE on March 25, 2003, containing lined out Reference Nos. 4 and 5.
- (X) Copy of PTO Form 1449 filed September 20, 2000, received by OIPE on October 11, 2000, containing lined out Reference No. 57.
- (X) Replacement PTO Form 1449 listing the three (3) above-mentioned lined out references.

PATENT

Case Docket No. ELITRA.001A  
Date: July 9, 2003

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- (X) A copy of the Partial European Search Report from EP 01 12 4215 dated January 28, 2003.
- (X) The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Account No. 11-1410.
- (X) Return prepaid postcard.

  
\_\_\_\_\_  
Daniel Hart  
Registration No. 40,637  
Attorney of Record  
Customer No. 20,995  
(619) 235-8550

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PATENT

OFFICE OF PETITIONS

Case Docket No. ELITRA.001A

Date: April 9, 2003

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Zyskind, et al. ) I hereby certify that this correspondence and all  
Appl. No. : 09/492,709 ) marked attachments are being deposited with the  
Filed : January 27, 2000 ) United States Postal Service as first class mail in  
For : GENES IDENTIFIED AS ) an envelope addressed to: United States Patent  
REQUIRED FOR ) and Trademark Office, P.O. Box 2327,  
PROLIFERATION IN ) Arlington, VA 22202, on  
ESCHERICHIA COLI )  
Examiner : A. Marschel )  
Group Art Unit : 1631 )  
\_\_\_\_\_  
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JUL 14 2003  
TECH CENTER 1600/2900

April 9, 2003

(Date)

Daniel Hart  
Daniel Hart, Reg. No. 40,637

TRANSMITTAL LETTER

United States Patent and Trademark Office  
P.O. Box 2327  
Arlington, VA 22202

Dear Sir:

Enclosed for filing in the above-identified application are:

- (X) A Supplemental Information Disclosure Statement.
- (X) A PTO Form 1449 with three (3) references.
- (X) A check is enclosed in the amount of \$180 to cover the fees set forth in 37 C.F.R. §1.17(p).
- (X) The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Account No. 11-1410.
- (X) Return prepaid postcard.

Daniel Hart  
Daniel Hart  
Registration No. 40,637  
Attorney of Record  
Customer No. 20,995  
(619) 235-8550

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**UTILITY/DESIGN PATENT**  
(document recordation / IDS)

Date: 4/19/03

Rec'd in the USPTO on the date stamped hereon via Certificate of Mail:  
Docket #: ELITRA\_001A Applicant: Zuskind, et al.  
Title: Genes Identified as Required for Proliferation in...  
App No.: 09/492,709 Filed: 1/27/00  
Exr: A. Marschel Art Unit: 1631  
Class/Sub-Class:  Re-Exam No.:   
VERIFIED BY: Asst: DmB Atty: DOHJLH QC: DHTJ

- Transmittal Letter
- Information Disclosure Statement in 1 pgs
- Form PTO-1449 in 1 pgs
- \$180 Check for IDS

Recordation Form Cover Sheet

Assignment in \_\_\_\_\_ pgs       \$ \_\_\_\_\_ Check for Recordation

\_\_\_\_\_ for Recordation in \_\_\_\_\_ pgs

\_\_\_\_\_

Return Prepaid Postcard

(9/17/02)

**KNOBBE MARTENS OLSON & BEAR**

SAN DIEGO PATENT ACCOUNT  
550 WEST C STREET, SUITE 1200  
SAN DIEGO, CA 92101

**17452**

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DATE 4/9/03

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